

Application No. 10/673,996
Filed: September 29, 2003
TC Art Unit: 2882
Confirmation No.: 2809

REMARKS

The foregoing Amendment is filed in response to the official action dated July 13, 2005. Reconsideration is respectfully requested.

The status of the claims is as follows:

Claims 1-8, 10-11, 13, 15, and 18-20 are currently pending.

Claims 1-5, 10, 13, 15, and 18 are allowed.

Claims 6-8, 11, and 19-20 stand rejected.

Claims 7-8 and 11 have been amended.

Claims 6 and 19-20 have been canceled without prejudice.

Claims 6-8, 11, and 19-20 were rejected under 35 U.S.C. 103(a) over Kaiser et al. (USP 6,370,221) in view of Longoni et al. ("A New XRF Spectrometer Based on a Ring-Shaped Multi-Element Silicon Drift Detector and on X-ray Capillary Optics"). While disagreeing with the grounds of rejection, the Applicants have canceled claims 6 and 19-20 for the sake of expediting issuance of a patent on the allowed claims. The Applicants reserve the right to prosecute the subject matter of the canceled claims in a continuation of the instant application.

Dependent claims 7-8 and 11 have been amended to reflect dependency changes resulting from the cancellation of claim 6. Specifically, claims 7-8 and 11 have been amended to depend from

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allowed claim 10. As the foregoing amendment will put claims 7-8 and 11 in a condition for allowance, it is believed that the amendment should be entered notwithstanding the final rejection of these claims in the above-identified official action.

The Applicants have studied the additional reference made of record by the Examiner, namely, She et al. (USP 5,351,279), and believe the claims as they presently stand to be patentable over this reference, whether this reference is taken individually or in combination with any of the other references cited above.

The Applicants believe the amendments and remarks presented hereinabove to be fully responsive to all of the grounds of rejection raised by the Examiner. In view of the foregoing amendments and remarks, the Applicants respectfully submit that all of the claims in the present application are in a condition for allowance. Notice to this effect is hereby requested.

The Examiner is encouraged to telephone the undersigned Attorney to discuss any matter that would expedite allowance of

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the present application.

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